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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------|------------------|
| 09/197,993 | 11/23/1998 | STEVEN EUGENE LOVETTE | | 1952 |

23990 7590 01/23/2004

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EXAMINER

NGUYEN, DUSTIN

| ART UNIT | PAPER NUMBER |
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2154

DATE MAILED: 01/23/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/197,993

Applicant(s)

LOVETTE, STEVEN EUGENE

Examiner

Dustin Nguyen

Art Unit

2154

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 29 December 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment below.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-25.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: see attachment below


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER

- 1. As per remarks, Applicants' argued that (1) Gosling reference never discuss inspecting the contents of a memory location adjacent to the stack space and the verifier 240 of Gosling reference does not compare the contents of the stack to a fixed value (i.e. an initial value).
2. As to point (1), the limitation of "inspecting the content of a memory location adjacent to the stack space" is not specified in claims 1, 11 nor 21. As mentioned in the Final Office Action mailed on 10/24/2003, the limitation of "inserting a quantity of information adjacent to the stack" is disclosed by Jones reference, and the limitation of "inspecting the quantity of information" is disclosed by Gosling. Also, Gosling discloses the comparison step of before and after to identify program fault [i.e. snapshot] [col 3, lines 32-40].
3. As per remarks, Applicants' argued that (2) Jones reference never mention inspecting the contents of a memory location adjacent to the stack space and never mention comparing those contents to a fixed value (i.e. an initial state).
4. As to point (2), the limitation of "inspecting the quantity of information and detect corruption" of claims 1, 11 and 21 are disclosed by Gosling as mentioned in the Final Office Action.